REMARKS

The Office Action of April 17, 2006 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested in view of the amendments and remarks presented in this response.

Claims 1-20, 23-25, 30-37 were pending in this application. Claims 21-22, 26-29 were previously withdrawn. Claims 36-37 have been currently amended. Claim 35 has been cancelled.

Remarks Regarding Examiner's Interview via Telephone

Applicants thank the Examiner for acknowledging the inadvertent typographical error in claim 1 of the prior Amendment filed on 2/7/2006. *See* Office Action dated 04/17/06, p. 8. The prior Amendment filed on 2/7/2006 inadvertently amended claim 1 to include the limitation: "playback session of a media file that is locally stored on the second terminal." Claim 1 should have read "playback session of a media file in synchronization with the first terminal." In fact, claim 1 was originally filed as such and has always been designated with an "(Original)" status identifier. The current Amendment and Remarks in Response to Office Action corrects the inadvertent typographical error from the prior Amendment filed on 2/7/2006. Thus, claim 1 remains with a status identifier of "(Original)".

Claim Rejections Under 35 USC §112

Claims 34, 36, 37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 34, Applicants are unable to find Examiner's basis for stating that "Claim 34 recites the limitation 'the computer-readable medium'." The words "computer-readable medium" appear nowhere in claim 34. Therefore, Examiner's basis for the rejection is unsupported. Applicants respectfully request Examiner to withdraw the rejection of claim 34. Meanwhile, Applicants have cancelled claim 35 which claims "the computer-readable medium" and depends from claim 34.

Regarding claims 36 and 37, Applicants have amended the claims. Applicants respectfully submit that claims 36 and 37 are now in condition for allowance and respectfully request Examiner to provide notification of the same.

Claim Rejections Under 35 USC § 103

Claims 1-5, 8-20, 23-25, 30-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,425,131 issued to Crandall et al. (Crandall) in view of US 6,223,211 issued to Hamilton et al. (Hamilton).

The Office Action state and Applicants agree that Crandall "does not explicitly teach (c) distributing a start playback request from the first terminal to the second terminal, wherein the start playback request directs the second terminal to begin a playback session of a media file that is locally stored on the second terminal in synchronization with the first terminal." (Office Action dated 04/17/06, p. 3).

Applicants, however, respectfully disagree with Office Action's contention that Crandall contains "a suggestion of a synchronization between two terminals in Fig. 1, element 180, 128. The picture of the baby is shown on both terminals." (Office Action dated 04/17/06, p. 3). Crandall does not suggest synchronization between two terminals. Crandall merely allows the simultaneous viewing of information on multiple screens. *See* Crandall, col. 5, lines 57-61 ("each cable subscriber connected … [can] be allowed to simultaneously view the displayed information on their cable televisions"). Applicants note that there is a difference between merely allowing simultaneously viewing, as is taught in Crandall, and synchronous media playback. Simultaneous viewing may be achieved without the step of "(c) distributing a start playback request from the first terminal to the second terminal, wherein the start playback request directs the second terminal to begin a playback session of a media file that is locally stored on the second terminal in synchronization with the first terminal" because simultaneous viewing does not require any type of synchronization between terminals. For example, in Crandall, a window (ref. 128, Crandall) may begin displaying a picture of a baby at 3:00 p.m. and a television set (ref. 180, Crandall) may begin displaying a picture of the same baby at 3:02 p.m. Thus, at 3:03 p.m., users of the window and television set are simultaneously viewing the picture of the baby (as show in Fig. 1), however, they did not "begin a playback session of a

media file … in synchronization." Therefore, Applicants submit that the picture of the baby shown at two locations in Figure 1 of Crandall, as relied on by the Examiner, does not suggest or teach synchronization between the two terminals.

Furthermore, Applicants respectfully disagree with Examiner's contention that "Hamilton explicitly teaches synchronizing playback of a medial [sic] file between two terminal (Claim 16) and locally storing the media file in the second terminal (Claim 16, Fig. 2 element 63; video memory)." (Examiner's OA dated 04/17/06, p. 4). Hamilton merely teaches providing real-time access to media data from a server to a single client playback system. Hamilton discloses a technique for streaming media data to a client such that the data is displayed on the client in real-time. Hamilton is not concerned with and does not teach synchronizing the playback session of a media file among multiple clients. *See* Hamilton, col. 10, lines 10-41.

In addition, Hamilton teaches away from "locally storing the media file in the second terminal." Although corrected claim 1 does not contain this limitation, claims 30-33 mention the feature of locally storing the media file. Hamilton states that one of the advantages of its system is that "local disk space at each client computer is not needed to hold copies of media files. One copy of each file at the server is all that is needed." (Hamilton, col. 10, lines 32-41). Hamilton does not disclose, teach, or suggest "locally storing the media file in the second terminal." Although no mention of "locally storing the media file in the second terminal" appears in claim 1, as corrected, claims 30-33 mention the feature of locally storing the media file. Hamilton, however, for the reasons stated above, fails to disclose, teach, or suggest this feature.

Therefore, Crandall and Hamilton, neither alone or in combination, disclose, teach, or suggest the features in claims 1-5, 8-20, 23-25, 30-37. Applicants respectfully submit that the aforementioned claims are in condition for allowance. Moreover, because dependent claims 2-5, 8-10, 12-13, 15-20, 24-25, 30-33, and 35 ultimately depend from allowable independent claims, Applicants respectfully submit that these claims are in condition for allowance for at least the same reasons as those stated for their independent claims.

Claim Rejections Under 35 USC § 103

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,425,131 131 issued to Crandall et al. (Crandall) in view of US 6,223,211 issued to Hamilton

et al. (Hamilton) in further view of US Publication 2002/0095612 issued to Furhrer et al (Furhrer).

Claims 6-7 ultimately depend from allowable independent claim 1. Therefore, Applicants respectfully submit that claims 6-7 are patentable for at least the reasons discussed above.

CONCLUSION

In view of the above amendments and remarks, prompt reconsideration and full allowance of the claims pending in the subject application are respectfully requested. All rejections having been addressed; Applicants respectfully submit that the instant application is in condition for allowance and respectfully solicits notification of the same.

The Commissioner is authorized to debit or credit our Deposit Account No. 19-0733 for any fees due in connection with the filing of this response.

If Examiner should have any questions, Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

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